

HOUSE JOINT RESOLUTION 81  
By Yokley

A RESOLUTION to propose an amendment to Article XI , of the  
Constitution of Tennessee, relative to the marital  
contract.

WHEREAS, The One Hundred Third General Assembly considered and adopted House  
Joint Resolution No. 990 which proposed an amendment to Article XI of the Constitution of the  
State of Tennessee, relative to the marital contract between one man and one woman; now,  
therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED  
FOURTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE  
CONCURRING, That a two-thirds majority of all the members of each house concurring, as  
shown by the yeas and nays entered on their journals, that it is proposed that Article XI of the  
Constitution of the State of Tennessee be amended by adding the following language as a new,  
appropriately designated section:

The historical institution and legal contract solemnizing the relationship of one  
man and one woman shall be the only legally recognized marital contract in this state.  
Any policy or law or judicial interpretation, purporting to define marriage as anything  
other than the historical institution and legal contract between one man and one woman,  
is contrary to the public policy of this state and shall be void and unenforceable in  
Tennessee. If another state or foreign jurisdiction issues a license for persons to marry  
and if such marriage is prohibited in this state by the provisions of this section, then the  
marriage shall be void and unenforceable in this state.

BE IT FURTHER RESOLVED, That, in accordance with Article XI, Section 3, of the  
Constitution of the State of Tennessee, the foregoing amendment shall be submitted to the  
people at the next general election in which a Governor is to be chosen, the same being the

2006 November general election, and the Secretary of State is directed to place such amendment on the ballot for that election.

BE IT FURTHER RESOLVED, That the Clerk of the Senate is directed to deliver a copy of this resolution to the Secretary of State.